

BOARD OF SELECTMEN
MINUTES OF MEETING – JULY 11, 2006

Present: Frank A. Consolati, Gordon D. Bailey, Board of Selectmen Ch. Patricia D. Carlino, absent
Robert L. Nason, Town Administrator
Selectman Consolati called the meeting to order at 7:00 PM.

1. Approval of Minutes: June 27, 2006

2. Public Hearings: None

3. General Business:

Selectman Consolati announced that Bill Bartini had intended to come before the Board to announce a change in the schedule for the Cal Ripken Baseball Tournament for nine year olds that is coming to Lee, but he was not present. Selectman Consolati did state that the ten year old Lee team, playing in Douglas, MA, was doing exceptionally well and had won four of their last five games. He said the 12 year olds were playing this weekend and the Board wished them luck.

Chris Pompei, DPW Supt., came before the Board with several items. The first was the awarding of a paving contract. L.B. Corp. of Lee was the apparently low bidder at \$237,182.88. Mr. Nason told the Board that the next lowest bidder, DelSignor Blacktop Paving, Inc., sent a notice stating that the L.B. Corp. was defective due to a lack of a Statement of Non-Collusion. Mr. Nason contacted Town Counsel whose preliminary opinion was that the statement may not be required. After looking at a checklist provided with the bid specification, Mr. Nason noticed that L.B. Corp. had checked off the box for the Statement of Non-Collusion and may have inadvertently omitted it. Selectman Consolati suggested awarding the bid to L.B. Corp. subject to Town Counsel's approval. Selectman Bailey agreed. Upon motion duly made and seconded, it was voted, unanimously, to award the paving contract to L.B. Corp. subject to the approval of Town Counsel. The Board asked Mr. Pompei what streets are going to be paved. He said Davis Street, S. Prospect Street, Greylock St. from E. Center to Columbia and East Center St. from Greylock to East Street.

The next item was an agreement with Berkshire Gas Co. to install gas service at the new wastewater treatment plant. Mr. Pompei said that in the beginning Berkshire Gas was asking for about \$30,000 for this installation but they came down to a cost of \$6,069.47. Selectman Bailey asked about a clause in the agreement that indicated the town would have to use the gas service for at least five years or the price will go up. Mr. Pompei said that there would not be any other fuel used at the WWTP but natural gas. The Board voted, unanimously, to approve the agreement with Berkshire Gas Co. for \$6,069.47.

The Board voted, unanimously, to approve two Chapter 90 reimbursement requests for the Gateway Design for \$10,048.73 and the Reservoir Rd. slope failure design in the amount of \$39,980.88.

Mr. Pompei explained that he misunderstood the meaning of the word "bi-weekly" thinking it meant twice a week when he put the refuse and recycling collection specifications out to bid. C & C will remove the refuse from the barrels on and around Main Street and the parks and playgrounds twice weekly for an additional \$150 per month. Mr. Pompei explained that this will still keep them the low bidder. An amendment to the contract will be forthcoming.

Mr. Nason explained that one of the seasonal DPW employees has not shown up for work for several days. Mr. Pompei said he did speak to this individual but he has continued to be a no show with no explanation. Mr. Nason said he would terminate this employee and hire Alex O'Brien, whose application was on file in the DPW office, subject to the Selectmen's approval. The Board voted, unanimously, to approve the termination and new hire as presented.

Mr. Nason told the Board that Mass. Rural Water Association had offered to assist the town to create a Source Water Protection Committee. A Source Water Protection Specialist will meet with members of this committee to offer assistance with developing and implementing source water protection plans. So far, he stated, members from BPW include Peter Jahn, Bill Enser and Tom Arment. From DPW Mike Towler, Chief Water Plant Operator. From the Planning Board, Tony Caropreso and from the Board of Health Dr. James Leahy. Ed Handberg from the ZBA has asked to be a member. The Board voted, unanimously, to make the appointments for a one year term.

Lisa Breault, Lee Ambulance Director, came before the Board to explain the bids for the two new ambulances to be purchased. Three bids were received and opened on Friday. The apparent low bidder was Yankee Fire and Rescue. In the meantime, while going through the package, she realized that Yankee had submitted an alternate bid. This one, although higher than their original bid, was still lower than the second lowest bidder. The alternate bid included a new vehicle and a

demonstration model they had on their lot. She called and asked about this deal and was told that Yankee knew the town was anxious to get a new ambulance and they thought it might interest her. The demonstration model meets all the specifications of the bid. In fact, she said, it has some extra features she didn't ask for. In a memo to the Selectmen, Ms. Breault recommended the alternate bid for two ambulances at a total price of \$179,847.00. After a brief discussion, the Board voted, unanimously, to award the alternate bid for two ambulances to Yankee Fire and Rescue in the total amount of \$179,847.00.

Mr. Nason told the Board that under the Municipal Relief Act, departments can now move funds from non-personnel accounts to personnel accounts as long as they are less than \$5,000. These are intradepartmental transfers. Two departments require these transfers. The Town Accountant needs to transfer \$1,350 to fund a part-time employee during her extended medical leave. The second is Playgrounds in the amount of \$1,500 to fund a seasonal employee who started working in FY06 but funding was not available until FY07. These transfers have been approved by the Finance Committee. Upon motion duly made and seconded, the Board voted, unanimously, to approve the transfer in account number 135 from line item 5303 to line item 5113 in the amount of \$1,350 and in account number 654 from line item 5290 to line item 5124 the amount of \$1,500.

The Board received a request from Jamie Cahillane of the Center for Ecological Technology to put the recycling banner on the Railroad Street gazebo to advertise an up-coming household hazardous waste collection in Lee on July 22nd. This has been approved by the Building Inspector. The Board voted, unanimously, to approve the request.

The Board received an application for a one day malt license from Evening Star Lodge. Selectman Bailey stated he is a member of the Lodge and would ordinarily recuse himself from voting but because there are only two members present he is invoking the rule of necessity. The Board voted, unanimously, to approve the application.

The Board received an application for an entertainment license from Thomas Cornellier, Jr. to hold a female revue at the Berkshire Blues Café for a stag party. This is a private party. Selectman Bailey noted that no date was on the application. After discussion, the Board voted, unanimously, to approve the application for the dates of July 15th and July 22nd.

The Board voted, unanimously, to appoint Arthur Snide to the Berkshire Regional Transit Authority Advisory Board.

The Board voted, unanimously, to reappoint Martin Deely to the Personnel Board; Ann Sterlin and Christopher McDermott to the Recycling Committee; Richard Aldrich to the Conservation Commission. Selectman Consolati noted that there are still several members of boards/committees/commissions who have not returned their reappointment form to the Selectmen's office.

4. Pending Business:

ZBA hearing – 7/12 @ 7 PM – Patricia Nguyen
ZBA hearing – 7/12 @ 7:30 PM – Pamela Morehouse
ZBA hearing – 7/26 @ 7 PM – Bart Collins

5. Town Administrator:

Mr. Nason told the Board that a new member has been added to the Finance Committee. After eight years of service, Marylou Antanozzi asked not to be reappointed. Christopher Brittain, Town Moderator, appointed Todd Morin to fill her position. The Board thanked her for the many years she served on that committee.

Mr. Nason announced that two Town Hall departments will be changing their hours for the summer to accommodate family needs. The first is the Town Treasurer who is now working five days per week. She will be working 4 PM to 10 PM on Monday and Tuesday through Friday from 8:30 AM to 3:00 PM. The next is the Land Use Assistant. She will now be working Monday, Wednesday and Thursday from 8:30 AM to 4:00 PM.

Mr. Nason up-dated the Board on the state aid for FY07. He said the good news is that the Joint House and Senate Committee approved a budget \$14,000 higher than the governor's, which was what the town's FY07 budget is based on. Mr. Nason stated that the governor vetoed many items but he didn't think any of them affected the town. He said, however, the bad news is that state aid is still \$200,000 less than what the town received in FY03.

6. Public Comments: Selectman Bailey announced he has created an e-mail site to give the public a change to make comments they might not ordinarily make in public. The address is gordon.bailey@adelphia.net. He said he would try this for about a month to see what kind of a response he gets.

7. Motion to adjourn:

The next regular meeting will be Tuesday, July 25, 2006 at 7 PM. The Board voted, unanimously, to go into executive session for the purpose of discussing collective bargaining and not return to public session. Roll call: Bailey, yes, Consolati, yes.

The meeting adjourned in executive at 8:15 PM.

Respectfully submitted,

Suzanne M. Alderman, Selectmen's Secretary

cc:	Board of Selectmen	Principal Assessor	Dept. of Public Works
	Town Administrator	Board of Health	Town Treasurer
	Town Clerk	Conservation Commission	Town Reps. District Chairmen
	Town Collector	Police Chief	Superintendent of Schools
	Planning Board	Building Inspector	Town Accountant